

# **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Philip Bachers, Planner I

**SUBJECT:** TU 5-1-06 / 06-65; Davie Merchants Industrial Association Inc. (DMIA), 2701 North University Drive, Davie, FL 33324

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:** Temporary Use Permit for Outdoor Firework Sale (Seasonal Sales)

**REPORT IN BRIEF:** The applicant is requesting approval of a Temporary Use Permit for activities associated with selling of fireworks under a canopy for the 4<sup>th</sup> of July Holiday. The Town of Davie Land Development Code Section 17-8, Seasonal sales, defines the permitted time frame and the necessary facilities that need to be provided on site. The canopy is located near the intersection of North University Drive and Davie Road Extension, with no access to residential streets. Automobile access onto and from the site is via Davie Road Extension with parking on the east side of the property. In addition, the canopy will also maintain building setbacks, have fire extinguishers, exit signs, and no smoking signs. Furthermore, there will be a portable toilet, garbage area, and electrical pole on the site. A satisfactory site plan accurately depicting all details of the request has been reviewed by the Development Review Committee.

**DURATION OF EVENT:** The duration and hours of the request is June 20, 2006 thru July 4, 2006 from 9:00 a.m. to 9:00 p.m.

Section 12-319 of the Land Development Code requires that three (3) criteria be met for temporary use permits:

- (1) Any nuisance or hazardous features involved is suitably separated from adjacent uses;
- (2) Excessive vehicular traffic will not be generated on minor residential streets; and,
- (3) A vehicular parking problem will not be created.

Staff finds that Davie Merchants Industrial Association Inc. "Outdoor Firework Sale" will be suitably separated from adjacent uses, there will be no excessive traffic generated on minor residential streets, and a vehicle-parking problem is not anticipated. In addition the following conditions apply:

- (1) **Any temporary use authorized by Town Council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such**

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**temporary use is authorized.** The applicant shall file such authorization with the Development Services Department.

(2) A building permit must be secured prior to the event.

(3) All concerns and comments as identified by reviewing agencies on the building permit must be addressed prior to the issuance of a Building permit.

(4) Provide proper traffic control devices, such as barricades or cones, around the canopy, to separate pedestrian traffic from vehicles.

(5) The permit shall be valid only for the time specific from June 20, 2006 thru July 4, 2006 from 9:00 a.m. to 9:00 p.m.

(6) Compliance with the "Conditions for the Sale of Commodities (Tent/Canopies)" as provided by the Town of Davie Fire Marshal.

**PREVIOUS ACTIONS:** None

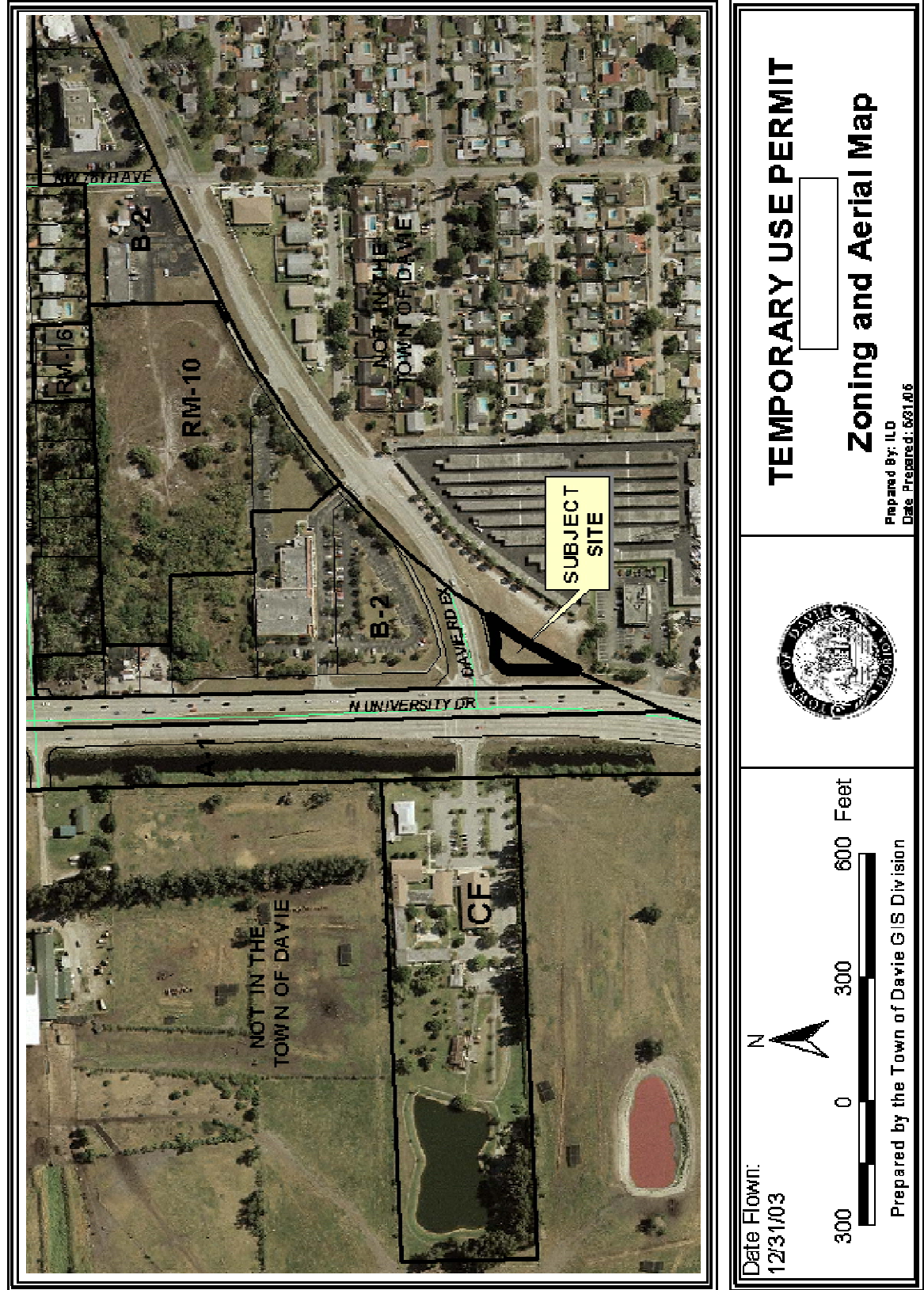
**CONCURRENCES:** The Development Review Committee has reviewed the application and has no objections to the request.

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachment(s):** Subject site map, Site plan.

TU 5-1-06 Temporary Use Permit, Davie Merchants / Mr. Fireworks 2701-2751 N. University Dr.  
Subject Site, Zoning, Aerial Map



TU 5-1-06 Temporary Use Permit, Davie Merchants / Mr. Fireworks 2701-2751 N. University Dr.  
SitePlan

